

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 24477 of 2004

Between:

No. 13982955 Naik SS Suhag, Trainee in Nursing Diploma Course No. 36(2
year) Military Hospital, Secunderabad (AP)

..... PETITIONER

AND

1 The Commandant, MILITARY HOSPITAL, SECUNDERABAD (AP)
2 THE SENIOR REGISTRAR & OFR FICER COMMANDING TROOPS MILITARY
HOSPITAL, SECUNDERABAD (AP)

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a direction, orders or a Writ, more appropriately one in the nature of a WRIT OF HABEAS CORPUS directing the Respondents herein to "Produce the detenu / petitioner herein before this Hon'ble Court and set him to his liberty to enable him exercise his legal right to institute a Case fore the appropriate Court of Law in terms of Section 190, 156(c)Cr PC, 1973 read with Section 195 IPC in the matters of a false case fabricated against the detenu by certain persons not subject to Army Act, 1950 with the active connivance of the Respondents herein by declaring denial of such liberty by the 2nd Respondent herein vide his order dated 23-12-2004 and his continued illegal detention in military barracks as being actuated by malice bias and prejudice and unjust, unreasonable and therefore violative of detenu's Fundamental Rights guaranteed under Articles 14, 16 & 21 of the Constitution of India and therefore ULTRA VIRES" and pass such other direction, order or orders

Counsel for the Petitioner: MR.VISHAL SAXENA

**Counsel for the Respondents : MR.M.RATNA REDDY (ADDL.S.C FOR C.G)
FOR RMAPP-1&2**

The Court made the following :

**HON'BLE MR. JUSTICE BILAL NAZKI
AND
HON'BLE DR. JUSTICE G. YETHIRAJULU**

W.P.No. 24477 of 2004

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ORDER: (Per Hon'ble Mr. Justice Bilal Nazki)

Learned counsel for the petitioner submits that there was another writ petition pending in which certain orders were passed. In view of those orders, this writ petition is not necessary which is accordingly dismissed.

BN J.

GYR J.

Dt.31.12.2004

KR

Sd/-

ASST. REGISTRAR

To

- 1 The Commandant, MILITARY HOSPITAL, SECUNDERABAD (AP)
- 2 THE SENIOR REGISTRAR & OFR FICER COMMANDING TROOPS MILITARY HOSPITAL, SECUNDERABAD (AP)
3. 2CCs to Advocate General, High Court Building, Hyderabad (out)
- 4..2CD copies